

1 David E. Weiss (SBN 148147)  
2 dweiss@reedsmith.com  
3 Brian A. Sutherland (SBN 248486)  
4 bsutherland@reedsmith.com  
5 REED SMITH LLP  
6 101 Second Street, Suite 1800  
7 San Francisco, CA 94105-3659  
8 Telephone: (415) 543-8700  
9 Facsimile: (415) 391-8269

10  
11 Attorneys for plaintiff Daniel Cisneros

12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

DANIEL CISNEROS,

Plaintiff,

vs.

J. VANGILDER, et al.,

Defendants.

Case No. 4:16-cv-00735-HSG

**STIPULATION AND ORDER  
RE: SCHEDULE FOR RENEWED  
MOTION FOR ATTORNEYS' FEES**

Hon. Haywood S. Gilliam, Jr.

Courtroom: 2 – 4th floor  
Oakland Courthouse  
1301 Clay Street  
Oakland, CA 94612

1 WHEREAS, on February 3, 2021, this Court denied plaintiff Daniel Cisneros's  
2 motion for an award of attorneys' fees (dkt. 230);

3 WHEREAS, on May 4, 2021, this Court denied Cisneros's motion to vacate the  
4 order denying the motion for attorneys' fees (dkt. 247);

5 WHEREAS, on May 12, 2022, the Ninth Circuit issued a memorandum opinion  
6 that affirmed in part, reversed in part, and remanded this case to this Court to  
7 determine the appropriate amount of fees to award (dkt. 249);

8 WHEREAS, on June 3, 2022, the Ninth Circuit issued its mandate (dkt. 250);

9 WHEREAS, on June 22, 2022, the Ninth Circuit issued an order granting  
10 Cisneros's motion for an award of attorneys' fees incurred on appeal (dkt. 251); and

11 WHEREAS, the parties have conferred and wish to enter into settlement  
12 discussions concerning the appropriate amount of fees to avoid further motion practice  
13 and resolve this matter;

14 NOW, THEREFORE, the parties stipulate and agree to the following schedule to  
15 allow the parties sufficient time to discuss settlement and respectfully request that the  
16 Court enter the schedule as follows, to govern motion practice in the event that the  
17 parties do not reach settlement:

18 1. Daniel Cisneros shall file his renewed motion for attorneys' fees on October 6,  
19 2022.

20 2. Defendants shall file any opposition to the motion by October 20, 2022.

21 3. Daniel Cisneros shall file any reply in further support of the motion by  
22 October 27, 2022.

23 4. The Court shall hear the renewed motion for attorney's fees on Thursday,  
24 November 10, 2022, at 2:00 p.m.

26 | DATED: June 28, 2022

1 ROB BONTA  
2 *Attorney General of California*

3 By: /s/ Neculai Grecea  
4 Neculai Grecea  
5 *Deputy Attorney General*  
6 Preeti K. Bajwa  
7 *Deputy Attorney General*  
8 1515 Clay St., 20th Floor  
9 Oakland, CA 94612  
10 Telephone: (510) 879-0980  
11 Facsimile: (510) 622-2270  
12 Neculai.Grecea@doj.ca.gov  
13 Preeti.Bajwa@doj.ca.gov

14 *Attorneys for Defendants*  
15 *J. Vasquez and J. Vangilder*

16 REED SMITH LLP

17 By: /s/ Brian A. Sutherland  
18 Brian A. Sutherland  
19 101 Second Street, Suite 1800  
20 San Francisco, CA 94105-3659  
21 Telephone: (415) 543-8700  
22 Facsimile: (415) 391-8269  
23 bsutherland@reedsmith.com

24 *Attorneys for Plaintiff Daniel Cisneros*

25 **ORDER**

26

27

28

1. Plaintiff Daniel Cisneros shall file his renewed motion for attorneys' fees on  
2. October 6, 2022.
3. Defendants shall file any opposition to the motion by October 20, 2022.
4. Plaintiff Cisneros shall file any reply in further support of the motion by  
5. October 27, 2022.
6. The Court shall hear the renewed motion for attorney's fees on Thursday,  
7. November 10, 2022, at 2:00 p.m.

28 PURSUANT TO STIPULATION, IT IS SO ORDERED

29 DATE: 6/28/2022

30   
31 The Honorable Haywood S. Gilliam, Jr.  
32 United States District Judge